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7 **CHARLSTON, REVICH & WOLLITZ LLP**

8 1925 Century Park East, Suite 1250

9 Los Angeles, California 90067

10 Facsimile: (310) 203-9321

11 Attorneys for Plaintiff

12 Colony Insurance Company

13 **UNITED STATES DISTRICT COURT**

14 **NORTHERN DISTRICT OF CALIFORNIA**

15 COLONY INSURANCE COMPANY, a  
16 Virginia corporation,

17 Plaintiff,

18 vs.

19 PORTFOLIO LENDING, INC., DONALD  
20 KUNG, an individual, and SAM LEONETTI,  
21 an individual,

22 Defendants,

Case No. 3:10-CV-00740-SC

**STIPULATION FOR DISMISSAL OF  
ENTIRE ACTION WITH PREJUDICE**

23 IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff Colony  
24 Insurance Company and Defendants Portfolio Lending, Inc. Donald Kung and Sam Leonetti  
25 through their designated counsel, that:  
26  
27  
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1           1.       The entire above-captioned action shall be, and hereby is, dismissed with  
2 prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1), with each party to bear its own  
3 fees and costs  
4

5 DATED: April 4, 2011

CHARLSTON, REVICH & WOLLITZ LLP

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7  
8 By: /s/ Alan H. Lazar

Alan H. Lazar  
Attorneys for Plaintiff  
COLONY INSURANCE COMPANY, INC.

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10  
11 DATED: April 4, 2011

YARON & ASSOCIATES

12  
13 By: 

Henry M. Su  
Attorneys for Defendants  
Portfolio Lending, Inc., Donald Kung

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15  
16 DATED: April 4, 2011

LAW OFFICES OF MICHELE L. MCGILL

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18 By: /s/ Michele L. McGill

Michele L. McGill  
Attorneys for Defendant Sam Leonetti  
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**CERTIFICATE OF SERVICE**

I am over 18 years of age and not a party to the within action. I am employed in the County of San Francisco; my business address is **Yaron & Associates, 601 California Street, Suite 2100, San Francisco, California 94108.**

On **April 6, 2011**, I served the within:

**STIPULATION FOR DISMISSAL OF ENTIRE ACTION WITH PREJUDICE**

on all parties in this action, as addressed below, by causing a true copy thereof to be distributed as follows:

*TO ALL PARTIES ON THE ECF SERVICE LIST*

✕ **VIA ELECTRONIC SERVICE:** I served a true copy, with all exhibits, electronically on designated recipients through PACER. Upon completion of electronic transmission of said document(s), a receipt is issued to serving party acknowledging receipt by PACER's system. Once PACER has served all designated recipients, proof of electronic service is returned to the filing party which will be maintained with the original document(s) in our office. This service complies with CCP §101.6.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on **April 6, 2011**, at San Francisco, California.

  
**Lorenia Ramirez**  
lramirez@yaronlaw.com

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8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA

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11 COLONY INSURANCE COMPANY, a  
Virginia corporation,

12 Plaintiff,

13 vs.

14 PORTFOLIO LENDING, INC., DONALD  
15 KUNG, an individual, and SAM LEONETTI,  
an individual,

16 Defendants,  
17

Case No. 3:10-CV-00740-SC

**~~PROPOSED~~ ORDER FOR DISMISSAL  
OF ENTIRE ACTION WITH  
PREJUDICE**

18  
19 Based upon the stipulation of the parties for an order dismissing the entire captioned  
20 action with prejudice, with each party to bear its own fees and costs, and good cause appearing  
21 therefor,

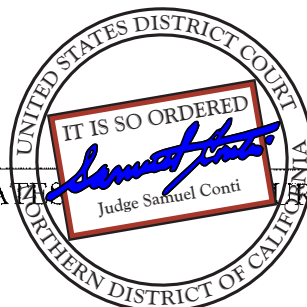
22 IT IS HEREBY ORDERED as follows:

- 23 1. The above captioned action is dismissed with prejudice in its entirety.  
24 2. Each party shall bear its own fees and cost.

25 IT IS SO ORDERED.

26  
27 DATED: 4/6/11

28 UNITED STATES



CLERK JUDGE

**CERTIFICATE OF SERVICE**

I am over 18 years of age and not a party to the within action. I am employed in the County of San Francisco; my business address is **Yaron & Associates, 601 California Street, Suite 2100, San Francisco, California 94108.**

On **April 6, 2011**, I served the within:

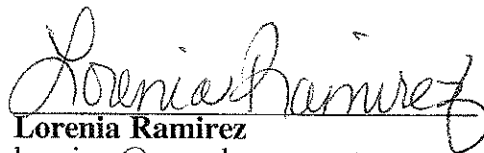
**[PROPOSED] ORDER FOR DISMISSAL OF ENTIRE ACTION WITH PREJUDICE**

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**Lorenia Ramirez**  
lramirez@yaronlaw.com